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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,027	12/13/2001	Bruce Barger	8711RR	4900

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EXAMINER

EL ARINI, ZEINAB

ART UNIT PAPER NUMBER

1746

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,027

Applicant(s)

BARGER ET AL.

Examiner

Zeinab E. EL-Arini

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22,23 and 25-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22,23 and 25-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/27/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/27/06 has been entered.

Claims 22-23, and 25-30 are pending.

The amendment to claim 29, filed 11/14/05 is non-compliant amendment, because the deleted subject matter "consisting essentially of" has not been lined through, and it is not presented in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aubay et al. (WO01/05920) or (6,569,261) in combination with Hueber et al.

Aubay et al. disclose a method of cleaning and rinsing vehicles using the cleaning composition, as structurally recited in claim 23. The references teach cleaning,

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followed by rinsing and drying the vehicles. See pages 30, 35, and 68 (WO'920). The references disclose the surfactant as claimed.

Aubay et al teach the invention substantially as claimed with the exception of rinsing the vehicles with tap water and then rinsing with purified rinse water using a hose-end purifying device.

Huebner et al. disclose a process for washing a vehicle surface where there is provided a step of providing a tap water rinse between step of contacting the surface with cleaning composition and the step of rinsing the surface with purified rinse water (see col. 8, lines 29-50, col. 1, line 20- col. 2, line 9).

It would have been obvious to one having ordinary skill in the art to modify the washing process of Aubay et al. to include the tap water rinse step as taught by Huebner et al. for the purpose of conserving the purified/ deionized rinse water.

Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aubay et al. in combination with Yeiser and Chura et al. (5,595,345).

Aubay et al. disclose a method of cleaning and rinsing vehicles using the cleaning composition, as structurally recited in claim 23. The references teach cleaning, followed by rinsing and drying the vehicles. See pages 30, 35, and 68 (WO'920). The references disclose the surfactant as claimed.

Aubay et al teach the invention substantially as claimed with the exception of rinsing the vehicles with tap water and then rinsing with purified rinse water using a hose-end purifying device.

Yeiser teaches a hand-held water sprayer for use in washing vehicles. On pages 3-4, bridging Yeiser teaches washing the vehicles by first washing with a cleaning solution, followed by rinsing with tap water to remove the washing solution, and then rinsing with the demineralized water for purposes of removing the tap water rinse. On page 4, lines 20-25, and page 18, lines 30-35, Yeiser teaches the sprayer having a purifying device comprising an ion-exchange resin 404 (Fig. 13). On page 18, lines 8-10, Yeiser teaches that the sprayer can be fitted with a conventional garden hose trigger control valve.

It would have been obvious to a person of ordinary skill in the art to modify the method of Aubay et al., to include the sprayer of Yeiser having ion-exchange resin, for purposes of purifying the water used for rinsing of the vehicles.

It would have been obvious for one skill in the art to have modified the method of Aubay et al. to include rinsing with tap water, followed by purified water, as taught by Yeiser for purposes of initially removing the cleaning solution and further rinsing with purified water to remove the tap water.

Aubay et al. in combination with Yeiser teach the invention substantially as claimed with the exception of a sprayer having a valving system.

Chura et al. teach a sprayer 2 having a multi-position valving member 40 for purposes of selectively spraying the cleaning solution and the rinsing solution onto the surface to be cleaned.

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It would have been obvious to a person of ordinary skill in the art to have modified the modified method of Aubay et al. to include a sprayer having a valving system, as taught by Chura et al. for purposes of selectively spraying the cleaning or rinsing solution onto the surface in a convenient manner.

These rejections stated in paper No. 011906 are maintained.

Response to Arguments

Applicant's arguments filed 11/14/05 have been fully considered but they are not persuasive. Applicants' argument with respect to the combination of Aubay et al. and Huebner does not disclose or suggest spraying device is unpersuasive, because using spraying device is inherent in the Aubay et al. in combination with Huebner. This is also because using spray device for cleaning a surface of a vehicle is well known in the art. Applicants' argument with respect to the combination of the references does not disclose a valve system having settings for washing step, unpurified water rinsing step, and purified water rinsing step, is unpersuasive. This is because Chura et al. disclose the valve system (valving member 40) as claimed.

This response stated in paper No. 011906 is maintained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeinab E. EL-Arini whose telephone number is (571) 272-1301. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Zeinab E. EL-Arini
Zeinab E. EL-Arini
Primary Examiner
Art Unit 1746

ZEE
08/02/06